

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**JOHNSON & JOHNSON VISION
CARE, INC.,**

Plaintiff,

v.

CIBA VISION CORPORATION

Defendant.

04 CIV. 07369 (LTS)


ECF CASE

DEFENDANT CIBA VISION CORPORATION'S NOTICE OF MOTION *IN LIMINE*

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and upon all other papers and prior proceedings had in this action, Defendant CIBA Vision Corporation, by its attorneys, McDermott Will & Emery LLP, will move this Court *in limine* at the United States Courthouse at 500 Pearl Street, New York, New York, on a date and time to be set by this Court, for an order excluding the introduction by Johnson & Johnson Vision Care, Inc. ("JJVC") of any evidence pertaining to an ongoing voluntary recall of CIBA's O2OPTIX product and for such other and further relief as may be just and proper.

Dated: February 2, 2007

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